IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
THE HON'BLE MR JUSTICE R.SUBHASH REDDY
WRIT PETITION NO : 15289 of 2006

Dated 28th day of July, 2006

Between
Dr. M.Keshavulu Goud …Petitioner

And

Osmania University, rep. By its Registrar
Osmania University Campus, Hyderabad and anr.

…Respondents

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THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO :15289 of 2006

ORDER:

The petitioner who worked as Academic Consultant in Nizam college, an Autonomous College affiliated to Osmania University, has filed this Writ Petition seeking Writ of Mandamus to declare the action of the respondents in not continuing him in service as Lecturer in Physics as illegal and arbitrary.

It is the case of the petitioner that he was appointed as Academic Consultant vide proceedings dated 4-8-2003 issued by the second respondent and in view of the said appointment, he was continuing in service. It is the further case of the petitioner that instead of continuing

him in service, the respondents are taking steps to fill-up the said vacancy by considering the claims of new candidates.

On the other hand, it is submitted by the learned Standing Counsel appearing for the respondents that the petitioner was appointed as Academic Consultant for a specific period, on contract basis. It is further submitted that as much as the petitioner was appointed for a specific period, he has no vested right to seek continuance in the said post. Reliance is placed on the judgment of the Apex Court in the case of *Secretary, State of Karnataka Vs. Umadevi*[1].

In view of the ratio laid down by the Apex Court in the judgment referred above, and, as much as the petitioner was appointed on contract basis, he cannot seek continuance as a matter of right in the said post. If the petitioner was appointed on contract basis, on completion of such period, he has to compete with others who are eligible to be appointed. However, if the respondents are taking steps to fill up the said vacancy, it is open for the petitioner to make an application to consider his candidature. In case, the petitioner applies for the same, the respondents shall consider the case of the petitioner keeping in view his earlier service and record.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATE: 28-07-2006.
CC by tomorrow.
(BO)
Msnr.

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[1] (2006)4 SCC 1